

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ACCELERON, LLC,

Plaintiff,

v.

EGENERA, INC.,
FUJITSU AMERICA INC.
HEWLETT-PACKARD CO.,
INTEL CORP.,
NEC CORPORATION OF AMERICA,
RACKABLE SYSTEMS, INC.,
SILICON MECHANICS, INC.,
SUN MICROSYSTEMS, INC., and
SUPERMICRO COMPUTER, INC.,

Defendants.

Civil Action No. 6:08-cv-417 (LED)

JURY TRIAL DEMANDED

DEFENDANTS NOTICE OF COMPLIANCE REGARDING PR 3-3 AND 3-4(b)

Pursuant to P.R. 3-3 and 3-4(b), and this Court's Order granting the parties' Joint Motion for Extension of Discovery Order Deadlines issued on June 30, 2009 (Dkt. 181), Defendants Egenera, Inc., Fujitsu America, Inc., Hewlett-Packard Co., Intel Corp., NEC Corporation of America, Rackable Systems, Inc., Silicon Mechanics, Inc., Sun Microsystems, Inc. and Supermicro Computer, Inc. hereby notify the Court that they served their P.R. 3-3 and 3-4(b) Disclosures upon all counsel of record via electronic mail on July 30, 2009.

Dated: August 3, 2009

Respectfully submitted,

By: /s/ Michael E. Jones
Michael E. Jones
State Bar No. 10929400
POTTER MINTON
A Professional Corporation
110 N. College, Suite 500 (75702)
P. O. Box 359
Tyler, Texas 75710

(903) 597 8311
(903) 593 0846 (Facsimile)
mikejones@potterminton.com

OF COUNSEL:

Mark G. Matuschak
Mark.matuschak@wilmerhale.com
Peter M. Dichiara
Peter.diciara@wilmerhale.com
William F. Lee
William.lee@wilmerhale.com
WILMER CUTLER PICKERING HALE AND
DORR LLP
60 State Street
Boston, MA 02109
Tel: 617-526-6000 Fax: 617-526-5000

James M. Dowd
James.dowd@wilmerhale.com
Michael D. Jay
Michael.jay@wilmerhale.com
WILMER CUTLER PICKERING HALE AND
DORR LLP
350 S. Grand Ave., Suite 2100
Los Angeles, CA 90071
Tel: 213-443-5300 Fax: 213-443-5400

ATTORNEYS FOR DEFENDANT
INTEL CORP.

/s/Trey Yarbrough (w/ permission by
Michael E. Jones)
Trey Yarbrough
Bar No. 22133500
YARBROUGH ♦ WILCOX, PLLC
100 E. Ferguson St., Ste. 1015
Tyler, TX 75702
(903) 595-3111
Fax: (903) 595-0191
trey@yw-lawfirm.com

Alan Smith
Samuel Sherry
FISH & RICHARDSON P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

ATTORNEYS FOR DEFENDANTS,
EGENERA, INC. AND FUJITSU AMERICA, INC.

/s/ Heather N. Mewes (w/ permission by
Michael E. Jones)

Heather N. Mewes
CA Bar No. 203690 (Admitted E.D. Tex)
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco, CA 94104
Telephone: (415) 875-2300
Facsimile: (415) 281-1350
hmewes@fenwick.com

Melissa Richards Smith
State Bar No 24001351
GILLAM & SMITH L.L.P.
303 South Washington Avenue
Marshall, TX 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
Melissa@gillamsmithlaw.com

Darryl M. Woo
CA Bar No. 100513
(Admitted E.D. Tex)
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco, CA 94104
Telephone: (415) 875-2300
Facsimile: (415) 281-1350
dwoo@fenwick.com

Charlene M. Morrow
CA Bar No. 136411
(Admitted E.D. Tex)
Erin Catherine Jones
FENWICK & WEST LLP

Silicon Valley Center
801 California Street
Mountain View, CA 94041-2008
Telephone: (650) 988-8500
Facsimile: (650) 938-5200
cmorrow@fenwick.com
ejones@fenwick.com

ATTORNEYS FOR DEFENDANT
HEWLETT-PACKARD CO.

/s/ Jennifer Parker Ainsworth (w/ permission by
Michael E. Jones)

Jennifer Parker Ainsworth
WILSON SHEEHY KNOWLES ROBERTSON &
CORNELIUS PC
909 ESE Loop 323, Suite 400
P.O. Box 7339
Tyler, TX 75711-7339
903-509-5000
Fax: 903-509-5092
jainsworth@wilsonlawfirm.com

Robert M. Masters
Brock S. Weber
PAUL, HASTINGS, JANOFSKY & WALKER LLP
875 15th Street, N.W.,
Washington, D.C. 20005
Telephone: 202-551-1700
Facsimile: 202-551-0238
robmasters@paulhastings.com
brockweber@paulhastings.com

Amy E. Simpson
PAUL, HASTINGS, JANOFSKY & WALKER LLP
4747 Executive Dr., 12th Floor
San Diego, California
Telephone: 858-458-3000
Facsimile: 858-458-3005
amysimpson@paulhastings.com

ATTORNEYS FOR DEFENDANT
NEC CORPORATION OF AMERICA

/s/ Timothy S. Teter (w/ permission by
Michael E. Jones)

Timothy S. Teter
CA State Bar No. 171451
Matthew P. Gubiotti
CA State Bar No. 241833
COOLEY GODWARD KRONISH LLP
3000 El Camino Real
Five Palo Alto Square
Palo Alto, CA 94306
Telephone: (650) 843-5000
Facsimile: (650) 857-0663
teterts@cooley.com
mgubiotti@cooley.com

ATTORNEYS FOR DEFENDANT
RACKABLE SYSTEMS, INC.

/s/ James L. Ware (w/ permission by
Michael E. Jones)

James L. Ware
State Bar No. 20861800
SHEEHY, WARE & PAPPAS, P.C.
909 Fannin Street, Suite 2500
Houston, Texas 77010
Phone: 713-951-1100
Fax: 713-951-1199
jware@sswpc.com

ATTORNEYS FOR DEFENDANT,
SILICON MECHANICS, INC.

/s/ Eric H. Findlay (w/ permission by
Michael E. Jones)

Eric H. Findlay, Esq.
Texas Bar No. 00789886
Roger Brian Craft, Esq.
Texas Bar No. 04972020
FINDLAY CRAFT
6760 Old Jacksonville Hwy
Suite 101
Tyler, TX 75703
Telephone: (903) 534-1100
Facsimile: (903) 534-1137
efindlay@findlaycraft.com

bcraft@findlaycraft.com

Of Counsel:

Raymond A. Kurz, Esq.
Celine J. Crowson, Esq.
Rebekah L. Osborn, Esq.
HOGAN & HARTSON, LLP
555 Thirteenth Street, NW
Washington, DC 20004
Telephone: (202) 637-5600
Facsimile: (202) 637-5910

ATTORNEYS FOR DEFENDANT
SUN MICROSYSTEMS, INC.

/s/ M. Craig Tyler (w/ permission by
Michael E. Jones)

M. Craig Tyler (Lead Attorney)
State Bar No. 00794762
WILSON SONSINI GOODRICH & ROSATI
900 South Capital of Texas Highway
Las Cimas IV, Fifth Floor
Austin, Texas 78746-5546
Voice: 512-338-5400
Facsimile: 512-338-5499
ctyler@wsgr.com

ATTORNEYS FOR SUPERMICRO COMPUTER,
INC.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service were served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on the 3rd day of August, 2009. Any other counsel of record will be served by first class U.S. mail on this same date.

/s/ Michael E. Jones
Michael E. Jones